

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001  <i>This document relates to:</i>  <i>Ashton et al v. al Qaeda et al</i> , 02-cv-6977 (RCC)	03 MDL 1570 (RCC)  ECF Case
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**DEFENDANT SANABEL AL-KHEER'S NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law and all prior papers and proceedings herein, Defendant Sanabel Al-Kheer will move before the Honorable Richard Conway Casey, United States District Court for the Southern District of New York, at the United States Courthouse located at 500 Pearl Street, New York, for the following relief:

- (a) dismissal of plaintiffs' Complaint pursuant to Fed. R. Civ. P. 12 (b)(6) for failure to state a claim upon which relief can be granted;
- (b) dismissal for any such further relief as the Court deems just and proper.

Dated: July 31, 2006

Respectfully Submitted,

/s/  
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*Attorney for Defendant Sanabel Al-Kheer*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing Motion to Dismiss was served via electronic case filing on this 31<sup>st</sup> day of July, 2006, upon the following:

Andrew J. Maloney III, Esq.  
Kreindler & Kreindler  
100 Park Avenue  
New York, NY 10017-5590

/s/  
Lisa D. Angelo, Esq.